

SEQUENCE OF EVENTS LEADING TO LICENSURE OF A COMMUNITY RESIDENTIAL CARE FACILITY

Step #1: Read and become familiar with Regulation 61-84, Standards for Licensing Community Residential Care Facilities. A free copy of the regulation is available on our Website at <http://www.scdhec.gov/health/hrreg.htm>. A hard copy of the regulation is available through the Division of Health Licensing for a \$10 fee. Payment must be by check, money order, or credit card (VISA, MasterCard, DiscoverCard), no cash can be accepted. Once you have obtained a copy of the regulation, determine if you can meet and comply with all requirements described in the regulation.

Notice: Criminal background checks are now required for all direct caregivers working in a community residential care facility. Procedures for obtaining criminal background checks can be found on our Website at <http://www.scdhec.gov/health/licen/memo1g.htm>.

If you feel you can meet these requirements, proceed to Step #2.

Step #2: You must determine the need in your town, city or county for a CRCF. To accomplish this, conduct any type of marketing study you deem necessary and/or, contact possible referral agencies to determine the availability of residents for your proposed facility. Possible referral sources include: County Department of Social Services; Community Mental Health Centers; Veterans' Administration, Regional Director of Residential Care; local churches; Community Senior Citizen Councils; Department of Disabilities and Special Needs; health care facilities or services such as hospitals, nursing homes, or home health agencies. DHEC **is not** a placement agency for assisting you in locating potential residents for your facility.

Step #3: Select the location at which you desire to establish the facility. Secure written permission from the appropriate local zoning authority for you to operate a CRCF at this location and, for the number of residents for which care will be provided. If the zoning authority indicates that there are no zoning restrictions, obtain a written statement from the local authority attesting to this.

Step #4: If your facility is to be located in an area not served by a public sewer system, contact the environmental health office at your county health department before proceeding with any plan preparation or site work. A determination will be made concerning site suitability for a septic system and the maximum number of residents that the system can support. You must obtain a permit for this system before the DHEC Division of Health Facilities Construction can approve your proposed facility plans. When the construction of the system is complete, obtain written final approval of the system from the environmental health office at the county health department.

Step #5: Water Requirements - Before proceeding with any plan preparation or site work, the water service to your facility, whether by public or private source, must be approved by your local DHEC Environmental Quality Control Office, or the Water

Facilities Permitting Division. To obtain written approval or exception for the water service to your facility, please contact one of these entities by writing to DHEC, Bureau of Water, 2600 Bull Street, Columbia, SC, 29201 or by phone at (803) 898-4300.

Step #6: In accordance with §40-35-32 of the South Carolina Code of Laws, the administrator of your proposed facility must be licensed as a CRCF administrator. Submit verification of the administrators' license issued by the Board of Long Term Health Care Administrators, SC Department of Labor, Licensing and Regulation, 110 Centerview Drive, P.O. Box 11329, Columbia, SC 29210, phone (803) 896-4544, Fax (803) 896-4555. A provisional administrator's license will meet this requirement.

Step #7: Construction Requirements

- A. All proposed CRCF's, whether new construction or existing structures, must obtain written approval from the Division of Health Facilities Construction. This approval is issued based upon approval of the facility Construction Documents (building plans and specifications). Plan reviews are conducted at the Division of Health Facilities Construction, 1777 St. Julian Place, Columbia, SC or at a location arranged by Department, with the owner, representative, and/or architect present. The owner/architect must provide one set Construction Documents for this review. On-site inspections of proposed facilities are not conducted until after completion of the plan review. However, the Health Facilities Construction staff is willing to discuss, by phone, the suitability of any proposed building in response to your specific request, prior to plan review. Please call (803) 545-4370 for an appointment.
- B. The following documents must be submitted during your final plan review appointment, which will be conducted by the Division of Health Facilities Construction at a location to be arranged with the Department.
 - 1. Permit to construct an individual sewage treatment and disposal system and final approval of this system, or written verification of service provided by a public sewage treatment and disposal system.
 - 2. Approval of the water source. This requirement may be satisfied by one of the following:
 - a. Approval to construct and final approvals issued by local DHEC EQC Office or Division of Water Facilities Permitting, DHEC, Columbia.
 - or
 - b. A bill indicating that the proposed facility has municipal or community water provided.
 - 3. A copy of the SC State Fire Marshal Sprinkler Specification Sheet (if sprinkler

system is required)

4. Local building permit for any construction (in lieu of providing zoning, water, fire department, and sewer documents).
5. Letter from local Zoning Official stating property approved for intended facility.

The Division of Health Facilities Construction must issue an affidavit of final approval of your facility to the Division of Health Licensing before the licensing process can continue. This affidavit will not be issued to the Division of Health Licensing until you have met all the requirements noted in Steps 7.A and B, and from all applicable on-site inspections conducted by the Division of Health Facilities Construction.

Step #8: Submit the following by mail to the Division of Health Licensing, DHEC, 2600 Bull Street, Columbia, SC 29201; hand-delivered copies may be submitted at 1777 St. Julian Place, Columbia, on the 4th floor of the Heritage Building:

A. A completed licensing application with original signature. At the time of application submission, or when the following documents are available to you, submit the following information (**Except for the licensing application, Do not send the original documents unless directed to do so**):

B. Zoning approval that gives specific approval to establish a CRCF at the chosen location or a letter of exemption from the local land use authorities.

C. Documentation of ownership of the facility if owner is other than a sole proprietor or single person ownership. For example:

1. In the case of a corporation, a copy of the Articles of Incorporation filed with the SC Secretary of State. If an out-of-state corporation, a copy of the authorization from the SC Secretary of State for that corporation or partnership to do business in SC. Also, a copy of the Articles of Incorporation filed with the SC Secretary of State along with the name of the authorized agent for service with the State.

2. Written, signed, and notarized partnership agreement.

D. Documentation that identifies the projected cost for this project, including start-up costs, and how you will finance this project. For example, this requirement may be met by one of the following:

1. A written statement from a bank that a loan has been made to this individual or entity for purchase and/or start-up costs;
2. A written statement that this facility has qualified for a government loan, for example, FHA, HUD;

3. A written statement from a bank regarding an individual's or entity's bank account balance and a written statement from the individual or entity that this money is specifically set aside for the operation of this facility.

E. A local business license or letter from the local authority if a business license is not required.

F. An original photograph of the facility exterior front which includes a full view of the facility. Photograph size must be a minimum of 2-3/4" x 3".

G. Original letters of reference from three persons unrelated to the licensee. (Letters must not be from persons within the third degree of kinship.) The letters must attest to the licensee's reputable and responsible character, financial ability, and competence to operate a CRCF. (If the owner is a corporation, then references for the chief executive officer of the corporation; if licensee is a partnership, then references for each partner owning five percent or more.) At least one of the references shall be the result of a state criminal records check with the South Carolina State Law Enforcement Division (SLED), or by letter from the local police department (record check conducted by a local police department must at a minimum be the same as would have occurred through SLED). For an owner that resides out-of-state, the reference shall include a criminal background check from the state where he/she currently resides in addition to a South Carolina SLED check. A South Carolina SLED criminal background check can be obtained through their website at <http://www.sled.sc.gov/>.

H. A complete description of the type facility you propose to operate, all services you intend to provide, and the type of clients for which care will be provided.

I. A completed, written emergency/disaster plan, which includes all of the content requirements as outlined in the DHEC Emergency Order of August 30, 2004, must be provided. Refer to the Enclosure List for a copy of this order and for the corresponding checklist which outlines the content requirements of your emergency /disaster plan. ***All items on the checklist must be clearly addressed in your plan.***

J. Administrator's license. (See Step #6)

K. Submit to the Division of Health Licensing proof of ownership of the business and facility, or executed lease or rental agreement. The proof of ownership requirement may be met by submission of a copy of one or more of the following as may be applicable to the transaction:

1. Your properly recorded deed and/or bill of sale in the event of purchase of the property and business;
2. Your properly recorded deed if the property and business have been given to you;

3. In the event of the owner's death (there may or may not be a will), legally accepted documentation which verifies your authority as issued by Probate Court to re-open the business on behalf of the estate, or until the estate is settled. If the estate has been settled, documentation of the settlement (deed of distribution or settlement agreement, etc.) which verifies the current legal owner of the business and property on which the business is maintained.

All of the required documentation (A-K) should be received by the Division of Health Licensing at least 30 days prior to your facility's anticipated/projected opening date, but preferably sooner. This allows reasonable time for a thorough review of the documentation and to request any additional or amended information that may be required. This is necessary to facilitate the licensing survey which must take place prior to opening of the facility. Please understand that all required documentation must be completed, submitted, reviewed, and approved before an initial inspection will be scheduled. It is the facility's responsibility to ensure timely submittal of the required documentation to allow sufficient time for departmental review and any necessary follow-up if additional information is required.

On the Enclosure List is a map that reflects the counties that make up the licensing regional boundaries. A representative of the Community Care Oversight Program who will assist you with the ownership change process can be contacted by telephone at (803) 545-4370.

When this information is received, reviewed, and approved, you will be contacted to schedule the initial licensing inspection.

Step #9: The intent of the initial licensing inspection is to determine if the facility meets the requirements of the regulations. Initial inspections will be conducted by a representative of the Division of Health Facilities Construction and by the Division of Health Licensing. At the conclusion of these initial licensing inspections, a written report will be completed by the inspector, reviewed with you, and provided to you for your written response. The report will identify items that must be corrected prior to establishing an effective date for your license to operate the facility. The establishment of an effective date of the license may be determined at the date of the inspection or may occur at a subsequent date depending on the result of the inspection and response(s). At this time, the licensing fee of \$10.00 per licensed bed (or \$75 for 7 beds or less), made payable to DHEC by check or money order, will be collected. No cash money will be accepted.

NO RESIDENTS MAY BE ADMITTED UNTIL THE ESTABLISHED EFFECTIVE DATE OF YOUR LICENSE IS ISSUED BY THE DIVISION OF HEALTH LICENSING. ADMISSION OF RESIDENTS PRIOR TO THIS DATE IS A VIOLATION OF §44-7-260 OF THE S.C. CODE OF LAWS AND WILL JEOPARDIZE THE ISSUANCE OF A LICENSE FOR YOUR FACILITY.

The following must be in place at the facility at the time you begin operation of the facility and will be reviewed by the Department during the initial inspection.

- A. All furnishings, furniture and equipment to include outside tables and chairs (Sections 2701, 2702, 2704, 2715, 2717.E.)
- B. Dry goods, linens, and nonperishable foods (Sections 1300, 1700)
- C. The facility neatly maintained and landscaped to include outside tables and chairs. All construction debris must have been removed from facility and grounds (Sections 1601, 1703, 2716.C., 2717)
- D. All required fire prevention and fire fighting equipment (Section 2200);
- E. Personnel records for all employees (Section 501.F.);
- F. The following must be posted in a conspicuous location in the facility which is accessible by visitors and residents:
 - 1. The Omnibus Adult Protection Act (Section 1001.A.B.);
 - 2. Bill of Rights for Residents and grievance procedures (Section 1001.A.B.);
 - 3. Sample/proposed month's activity schedule (Section 903.E.);
 - 4. Emergency phone numbers (Section 1402);
 - 5. Proposed week's menu (Section 1307.A).
- G. Activity and recreational supplies (Section 903.D);
- H. Current Diet manual; published within the previous five years (Section 1306.C.);
- I. Written emergency/disaster plan (Section 1401.A);
- J. The individual designated to act in the absence of the administrator (Section 502.A.);
- K. Written policies and procedures (Section 401.A.B.);
- L. Admission contracts or similar documentation which detail all services, charges and refund policy (Section 901.A.);
- M. Supplies and equipment for proper administration of resident medication program (Section 1201.A.);

N. First aid kit or supplies (Section 1201.A.);

O. Supplies and equipment for the establishment and maintenance of health records (Section 704).

The initial license issued to you will be effective for a 12-month period. Within that period, the Division of Health Licensing may conduct another inspection.

Other services available through our Department can be found on the main Website at <http://www.scdhec.gov>.

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